

Office of the Chapter 13 Standing Trustee

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November 27, 2019

The Honorable Jerrold N. Poslusny, Jr.
United States Bankruptcy Court
P.O. Box 2067
Camden, New Jersey 08102

**RE: CHAPTER 13 BANKRUPTCY
CASE NO: 19-27926 (JNP)
DEBTORS: Ginamarie Forester**

Dear Judge Poslusny:

Please accept this letter in lieu of a more formal response to Debtor's Motion to Approve Settlement of Controversy and Transfer Real Property, returnable on December 17, 2019.

Debtor owns property located at 203 W. Brigantine Avenue, Unit 211, Brigantine, New Jersey (herein the "Property"). Pursuant to the Consent Judgment entered by the Superior Court of New Jersey on September 23, 2019, Debtor agrees to convey title to the Property to Edward L. McDonald, Theresa A. Visconto and Donna M. McDonald, (herein the "Plaintiffs"). In addition, Debtor agrees to relinquish her rights to proceeds of the Estate of Edward L. McDonald, Sr.

Debtor claims in her motion that the value of the Property is \$158,000 subject to a mortgage with a balance of approximately \$77,300. The Property is not listed on Debtor's Schedule A, and the mortgage is not reflected on Schedule D. Debtor has not provided in support of her motion, or the Trustee documentation in support of the alleged value of the Property and claimed mortgage balance. Debtor's schedules disclose \$164,000 in unsecured creditors and the plan only proposes to pay a base dividend to unsecured creditors.

The Consent Judgment dated September 23, 2019 at paragraph 9 states, "Defendant, Ginamarie Forester relinquishes and releases any and all rights and/or interest in any recovery obtained or to be obtained by Plaintiffs in connection with the Medical Malpractice Action." The potential value of the pending lawsuit is not disclosed in the moving papers.

The Trustee objects to and opposes Debtor's motion as she is unable to ascertain if the Consent Judgment and its terms benefit or are fair and in the best interest of Debtor's estate.

As always the Court is welcome to contact the Trustee with any concerns.

Respectfully Submitted,

***OFFICE OF THE CHAPTER 13
STANDING TRUSTEE***

/s/ Isabel C. Balboa

Isabel C. Balboa
Standing Trustee

ICB/kt

cc: Robert A. Loefflad, Esquire (Via CM/ECF and e-mail)
Ginamarie Forester (Via First Class Mail)